



# STATE OF CONNECTICUT

## OFFICE OF POLICY AND MANAGEMENT INTERGOVERNMENTAL POLICY DIVISION

July 2, 2008

Members of the Continuing Legislative Committee on  
State Planning and Development:

The Honorable Eric D. Coleman  
The Honorable Art Feltman  
The Honorable Jonathan A. Harris  
The Honorable Leonard Fasano  
The Honorable Craig A. Miner

The Honorable Joseph J. Crisco, Jr.  
The Honorable Antonio (Tony) Guerrera  
The Honorable Jack Malone  
The Honorable Richard Roy

Dear Senators and Representatives:

In accordance with Section 16a-32(b) of the Connecticut General Statutes and Section 16a-32-5 of the Regulations of Connecticut State Agencies, the Office of Policy and Management (OPM) hereby submits its Findings and Recommendations regarding an interim change request from the Town of South Windsor for 20 sites within the Town. Six of the sites are zoned commercial/industrial and 14 are zoned residential. The sites are variously designated as Rural, Conservation and Preservation on the Locational Guide Map of the Conservation and Development Policies Plan for Connecticut 2005-2010. The Town is requesting that the sites be changed to Growth or Neighborhood Conservation.

In accordance with RCSA Section 16a-32-6, the Continuing Committee has thirty (30) days from receipt of OPM's recommendation to act on the proposed interim change application. My staff and I are available to meet with you at your convenience during this period, if you should have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. David LeVasseur".

W. David LeVasseur, Undersecretary  
Intergovernmental Policy Division

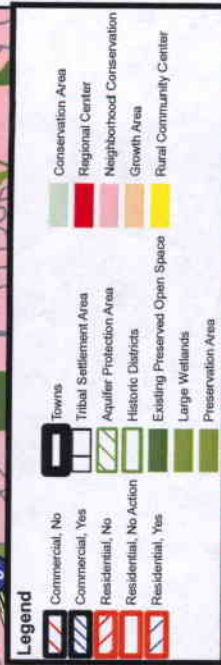
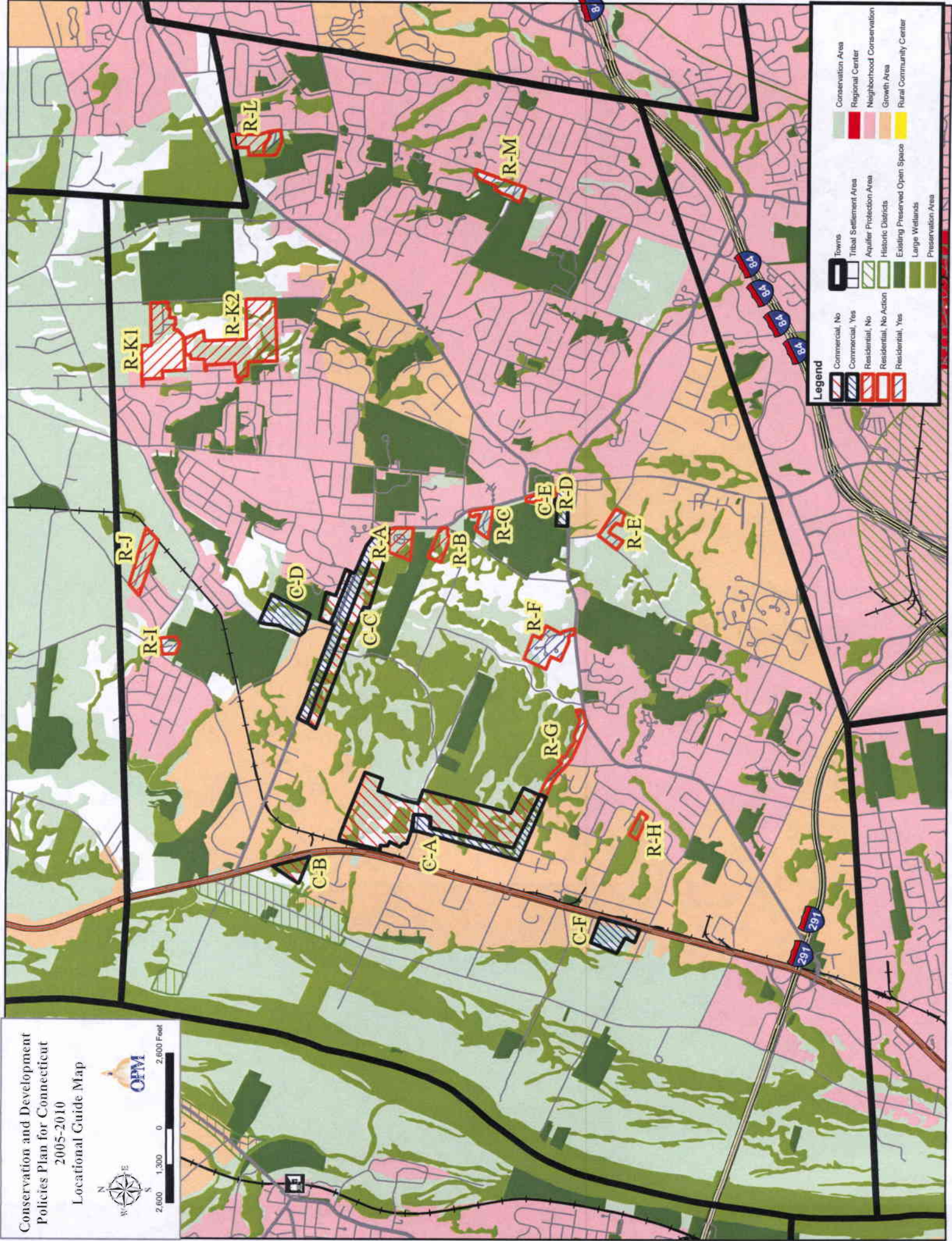
### Attachments

Cc: Representative William Aman, 14<sup>th</sup> Assembly District  
Marcia Banach, Director of Planning  
Gretchen Bickford, South Windsor Town Clerk  
Representative Michael Christ, 11<sup>th</sup> Assembly District  
Matthew Galligan, Town Manager  
Bill Hogan, DEP

Patrick Kennedy, Chair, Planning and Zoning Comm.  
Senator Gary LeBeau, 3<sup>rd</sup> Senate District  
C. Fred Shaw, Superintendent of Pollution Control  
David Wichman, Chair, Planning and Zoning Comm.  
Lyle Wray, Capitol Region Council of Governments



Conservation and Development  
Policies Plan for Connecticut  
2005-2010  
Locational Guide Map





# **Findings and Recommendations on the Application of the Town of South Windsor June 3, 2008**

## **Request for an Interim Change at 20 locations to the Locational Guide Map Conservation and Development Policies Plan for Connecticut, 2005-2010**

In accordance with Section 16a-32(b) of the Connecticut General Statutes and Sections 16a-32-1-6 of the Regulations of Connecticut State Agencies, the Town of South Windsor has requested interim changes to the Locational Guide Map of the State's Conservation and Development Policies Plan (C&D Plan) at 20 locations. Six sites are zoned commercial/industrial and 14 are zoned residential.

The request is for a change to the C&D Plan designation for the 20 sites from "Conservation", "Preservation" and "Rural" to "Growth" or "Neighborhood Conservation" (see attached map).

The application indicates that the requests are being made primarily to bring the Statewide Locational Guide Map up to date so that it more accurately reflects development that has already taken place at the various sites. Subsequent materials submitted by the town indicate that another reason for the interim change request is to facilitate the granting of \$9 million in Clean Water Funds by DEP for a sewage treatment plant upgrade. DEP has indicated that these funds are in jeopardy if the Town's sewer service area is not consistent with the C&D Plan's Locational Guide Map. DEP has further found that the Town has allowed the expansion of its sewer service area beyond the boundaries defined in the Town's 2002 Wastewater Facilities Plan.

A review of the South Windsor's 2002 plan of conservation and development indicates general support for development in the requested change areas, including the sewerage of such development. However, in many cases, the requested sites fall within areas to be excluded from future service on the Sewer Service Area map in the approved Wastewater Facilities Plan.

Section 7-246(b) of the Connecticut General Statutes provides municipal Water Pollution Control Authorities (WPCA) with sole authority to determine what areas are to be served or avoided by public sanitary sewers. OPM and DEP support a municipally-driven process to develop sewer service areas based on consensus among the WPCA and other municipal commissions, such as planning and zoning, economic development, conservation and inland wetlands. This process should address any needs to abate existing pollution from failing septic systems, consider current zoning, and ultimately include the approved sewer service area map in the municipal plan of conservation and development.

Given the varied nature of the 20 interim change sites, OPM reviewed each request and made a site by site recommendation. We have included a summary of our recommendations followed by Appendix A, which contains our individual site recommendations.

A map has been included with this packet. On the map, the residentially zoned sites are preceded by the letter "R" and are outlined in orange. The commercially zoned sites are preceded by the letter "C" and are outlined in black. Blue cross-hatching indicates an "approve" recommendation and red-cross hatching indicates a "not approve" recommendation.

## **Summary of OPM Recommendations:**

### **Recommend Committee Approve:**

**Commercial site D, E, F**

**Residential site C, D, E, F, G, I, M**

**These sites are generally already built up, are on sewers and are within the approved sewer service area. Please note that any Preservation Area classifications noted in Appendix A will remain as such, due to potential permit requirements associated with certain land characteristics (ie. wetland soils).**

### **Recommend Committee Not Approve:**

**Commercial site B**

**Residential site A, B, J, K1, K2**

**Although some of these sites are already built and have sewers connected, they are outside the agreed-upon sewer service area and, as such, are in violation of South Windsor's 2002 Wastewater Facilities Plan.**

### **Recommend Committee Approve part of the site, Not Approve part**

**Commercial site A, C**

**Residential site L**

**Commercial sites A and C still have fairly large undeveloped parcels within them that are outside the agreed-upon sewer service area. Residential site L appears to be housing that was developed in two stages. One section is sewerred and is within the agreed-upon sewer service area and the other section is outside the approved area.**

### **Recommend Committee Take No Action:**

**Residential site H**

**This site is already designated as a "Growth" area. There is an overlay of "Preservation" due to the wetland soils. South Windsor has indicated that it has had the area evaluated and there are no wetland soils there.**

**DEP supplies the data layer that OPM uses to generate the wetlands on the Locational Guide Map. OPM recommends that South Windsor work with DEP to resolve the issue. If DEP agrees that the change is warranted, OPM will make a technical change to the map at this site.**

## **Appendix A – Individual Site Recommendations**

### **Industrial/Commercial Sites**

#### **Site A**

##### **Background**

This location is a large parcel on the east side of Nutmeg Road North. There is a sewer line in Nutmeg Road and the site's buildings adjacent to the road are connected. The site is currently categorized as "Conservation", "Preservation", and "Rural" and consists of a quarry and a brick manufacturer.

##### **Recommendation**

**OPM recommends that the Continuing Committee approve some of the requested area and not approve the rest. We recommend that the Committee approve that portion of the requested change that is within the 200 foot buffer area delineated as being within the sewer service area as defined in the 2002 Wastewater Facilities Plan. This portion of the site would become "Growth".**

**OPM recommends that the Committee not approve the requested change to the remainder of the site.** Much of this site is still undeveloped and contains significant amounts of prime and important agricultural soils.

#### **Site B**

##### **Background**

This location is a large parcel on the west side of route 5. Although there is a sewer line along route 5, this site is not at all within the sewer service area. The site is categorized as "Preservation" due to wetland soils and "Rural". The site also contains important farmland soils.

##### **Recommendation**

**OPM recommends that the Continuing Committee not approve South Windsor's request to change the site's current C&D designations to "Growth" due to the fact that it is wholly outside the sewer service area, is wetland, and contains important farmland soils.**

#### **Site C**

##### **Background**

This location is a large parcel just south of Sullivan Avenue. There are sewer and water lines in Sullivan Avenue and the site's buildings are connected. The site is currently

categorized as "Conservation", "Preservation", and "Rural" and consists of various commercial buildings.

### **Recommendation**

**OPM recommends that the Continuing Committee approve some of the requested area and not approve the rest. We recommend that the Committee approve that portion of the requested change that is within the 200 foot buffer area delineated as being within the sewer service area as defined in the 2002 Wastewater Facilities Plan. This portion of the site would become "Growth".**

**OPM recommends that the Committee not approve the requested change to the remainder of the site.** Several parcels within this site are still undeveloped and contain prime and important agricultural soils.

### **Site D**

#### **Background**

This location is a parcel on the east side of Brookfield Street. There is a sewer line in Brookfield Street and the site's buildings are connected. The site is currently categorized as "Conservation", "Preservation", and "Rural" and consists of various commercial buildings including a trucking company.

#### **Recommendation**

**OPM recommends that the Continuing Committee approve South Windsor's request to change the site's current C&D designations to "Growth" to reflect the site's long-standing development and the fact that the buildings are already partially within the agreed-upon sewer service area.**

### **Site E**

#### **Background**

This location is a parcel on the north side of Route 30 (Ellington Road) just west of Route 194. The site has public sewer and water. The site is currently categorized primarily as "Rural" with some small amount of "Preservation" due to wetlands.

#### **Recommendation**

**OPM recommends that the Continuing Committee approve South Windsor's request to change the site's current C&D designations to "Growth" to reflect the site's developed nature and the fact that the buildings are already partially within the agreed-upon sewer service area.**



## **Site F**

### **Background**

This location is a large parcel just west of Route 5. There are sewer and water lines in route 5 and the site's buildings are connected. The site is currently categorized as "Conservation", "Rural", and "Growth".

### **Recommendation**

**OPM recommends that the Continuing Committee approve South Windsor's request to change the site's current C&D designations to "Growth" to reflect the site's long-standing development and the fact that the buildings are partially within the agreed-upon sewer service area and already contain some "Growth" designation.**

## **Residential Sites**

### **Site A**

#### **Background**

This location is on the west side of Sullivan Avenue. There are 45 senior condominiums on the site, apparently connected to sewer and water lines that run along Sullivan Avenue. The site is currently categorized as "Conservation" due to prime agricultural soils and "Preservation" due to wetland soils. The bulk of the developed portion of the site is outside the sewer service area.

#### **Recommendation**

**OPM recommends that the Continuing Committee not approve South Windsor's request to change the site's current C&D designations to "Growth".** The C&D Plan's Locational Guide Map serves as a policies guide for state actions, and is not intended to serve as a reflection of land use. OPM does not support this requested change because the site was not consistent with the approved sewer service area at the time it was built and, as such, was in violation of the 2002 Wastewater Facilities Plan.

### **Site B**

#### **Background**

This location is on the west side of Sullivan Avenue. There are 18 senior condominiums on the site, apparently connected to sewer and water lines in Sullivan Avenue. The site is currently categorized as "Conservation" due to prime agricultural soils, "Preservation" due to wetland soils, and "Rural". The bulk of the developed portion of the site is outside the sewer service area.

## **Recommendation**

**OPM recommends that the Continuing Committee not approve South Windsor's request to change the site's current C&D designations to "Growth".** The C&D Plan's Locational Guide Map serves as a policies guide for state actions, and is not intended to serve as a reflection of land use. OPM does not support this requested change because the site was not consistent with the approved sewer service area at the time it was built and, as such, was in violation of the 2002 Wastewater Facilities Plan.

## **Site C**

### **Background**

This location is on the west side of Sullivan Avenue. There are 16 single family houses connected to sewer and water lines in Sullivan Avenue. The site is currently categorized as "Conservation" due to prime agricultural soils and "Rural". The site is within the agreed-upon sewer service area.

### **Recommendation**

**OPM recommends that the Continuing Committee approve South Windsor's request to change the site's current C&D designations to "Growth".** Although the site consists of prime agricultural soils (hence the "Conservation" designation) the site is within the agreed-upon sewer service area.

## **Site D**

### **Background**

This location is on the west side of Sullivan Avenue just north of the intersection with Route 30. There are 9 single family houses that do not appear to be connected to the public sewer which runs along Sullivan Avenue. The site is currently categorized primarily as "Rural". The site is within the agreed-upon sewer service area.

### **Recommendation**

**OPM recommends that the Continuing Committee approve South Windsor's request to change the site's current C&D designations to "Growth"** as the site is within the agreed-upon sewer service area.

## **Site E**

### **Background**

This location is along Clark and Deming. There are 14 single family houses that are connected to the public sewer which runs along the two roads. The site is currently categorized as "Conservation" due to prime agricultural soils. The site is within the agreed-upon sewer service area.



## **Recommendation**

**OPM recommends that the Continuing Committee approve South Windsor's request to change the site's current C&D designations to "Growth" as the site is within the agreed-upon sewer service area.**

## **Site F**

### **Background**

This location is on Ellington Road. There are approximately 40 single family and duplex condominiums, all on public sewer and water. The site is currently categorized primarily as "Rural" with some "Conservation" area due to prime agricultural soils. The site is within the agreed-upon sewer service area.

### **Recommendation**

**OPM recommends that the Continuing Committee approve South Windsor's request to change the site's current C&D designations to "Growth" as the site is within the agree-upon sewer service area.**

## **Site G**

### **Background**

This location is on Governors Highway. There are approximately 25 single family houses, all on public sewer and water. The site is currently categorized primarily as "Preservation" due to wetland soils and some "Rural". The site is within the agreed-upon sewer service area.

### **Recommendation**

**OPM recommends that the Continuing Committee approve South Windsor's request to change the site's current C&D designations to "Growth" as the site is within the agree-upon sewer service area.**

## **Site H**

### **Background**

This location is on Day Drive and has 20 senior housing condominiums and sewer and water. The site is currently categorized as "Growth" with an overlay of "Preservation" due to wetland soils. The site is not within the agreed-upon sewer service area.

### **Recommendation**

**OPM recommends that the Continuing Committee take no action on this request as OPM feels that no action is necessary. The site is already "Growth" on the map with the exception of the wetland areas. South Windsor has indicated that it has evidence that**

this area does not contain wetland soils, and is therefore inaccurately categorized in the Locational Guide Map.

OPM receives the wetland data layer from DEP. If South Windsor wishes to have the wetland designation removed on the map, we would suggest they present their evidence to DEP and request that their data layer be changed in light of the new information. If DEP accepts the new data and removes the wetland designation at this site, OPM will amend the map accordingly.

## **Site I**

### **Background**

This location is on Abar Lane. There are approximately 10 single family houses, all on public sewer and water. The site is currently categorized primarily as "Conservation" due to prime agricultural soils some "Rural". The site is within the agreed-upon sewer service area.

### **Recommendation**

**OPM recommends that the Continuing Committee approve South Windsor's request to change the site's current C&D designations to "Growth" as the site is within the agreed-upon sewer service area.**

## **Site J**

### **Background**

This location is on Green Lane, on the northern border of the town. There are approximately 12 single family homes which are connected to sewer and water lines. The site is currently categorized as "Conservation" due to prime agricultural soils. The site is outside the sewer service area.

### **Recommendation**

**OPM recommends that the Continuing Committee not approve South Windsor's request to change the site's current C&D designations to "Growth".** The C&D Plan's Locational Guide Map serves as a policies guide for state actions, and is not intended to serve as a reflection of land use. OPM does not support this requested change because the site was not approved for sewers at the time it was built up and, as such, was in violation of the 2002 Wastewater Facilities Plan.

## **Site K1**

### **Background**

This location is on the north-eastern section of town, west of Barber Hill Road. It was a wooded lot but is now a 17 lot single family subdivision on water and sewer. The site is currently categorized as "Conservation" due to prime agricultural soils and "Rural". The

site is outside the sewer service area, is along a ridgeline, and is in a relatively undeveloped part of the Town.

### **Recommendation**

**OPM recommends that the Continuing Committee not approve South Windsor's request to change the site's current C&D designations to "Growth".** The C&D Plan's Locational Guide Map serves as a policies guide for state actions, and is not intended to serve as a reflection of land use. OPM does not support this requested change because the site was not consistent with the approved sewer service area at the time it was built up and, as such, was in violation of the 2002 Wastewater Facilities Plan.

### **Site K2**

#### **Background**

This location is on the north-eastern section of town. It was a large Christmas tree farm that the Town tried to purchase for open space, but could not afford the sale price. A developer bought the site and intends to build a 64 lot clustered development on public water and sewer. The site is currently categorized as "Conservation" due to prime agricultural soils, "Preservation" due to wetland soils, and "Rural". The site is outside the sewer service area, and is in a relatively undeveloped part of the Town. Fifty percent of the site will be preserved as open space.

#### **Recommendation**

**OPM recommends that the Continuing Committee not approve South Windsor's request to change the site's current C&D designations to "Growth".** The C&D Plan's Locational Guide Map serves as a policies guide for state actions, and is not intended to serve as a reflection of land use. OPM does not support this requested change because the site was not consistent with the approved sewer service area. Furthermore, development of such lands is not consistent with the C&D Plan's goals regarding preservation of active agricultural land, especially when it is located at the outer fringes of existing development.

### **Site L**

#### **Background**

This location is on Lawrence Road. There are approximately 17 single family houses, 10 on public sewers, and another 7 that appear not to have public sewer. The ten sewered homes are within the sewer service area. The remaining seven homes are outside the sewer service area. The site is currently categorized primarily as "Conservation" due to prime agricultural soils and "Preservation" due to wetland soils.



## **Recommendation**

**OPM recommends that the Continuing Committee split this site and approve the request to change the portion of the site within the sewer service area and not approve the portion of the site outside the sewer service area.**

## **Site M**

### **Background**

This location is on Avery Street Lane and Beelzebub Road. The site contains approximately 8 single family homes and a church, all with public sewer and is within the sewer service area. The site is currently categorized primarily as Rural, but contains some "Conservation" due to prime agricultural soils and some "Preservation" due to wetland soils. The site is within the agreed-upon sewer service area.

### **Recommendation**

**OPM recommends that the Continuing Committee approve South Windsor's request to change the site's current C&D designations to "Growth" as the site is within the agreed-upon sewer service area.**